

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

**FILED**

JUN 23 2015

Clerk, U.S. District Court  
District Of Montana  
Missoula

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FREDERICK GLEN JOHNSON,

Defendant.

CR 15-6-M-DLC

FINDINGS AND  
RECOMMENDATION  
CONCERNING PLEA

The Defendant, by consent, has appeared before me under Fed. R. Crim. P. 11 and has entered a plea of guilty to: (1) one count of conspiring to possess, with the intent to distribute, and to distribute methamphetamine and heroin in violation of 21 U.S.C. §§ 841(a)(1) and 846, as set forth in Count I of the Indictment, and (2) interstate travel in aid of racketeering in violation of 18 U.S.C. § 1952(a)(3), as set forth in Count XV of the Indictment. Defendant further admits to the forfeiture allegations in the Indictment. In exchange for Defendant's guilty pleas, the United States has agreed to dismiss Counts II, VI, VIII, X, XI XII, XIII and XIV pled against Defendant in the Indictment.

After examining the Defendant under oath, I have made the following

determinations:

1. That the Defendant is fully competent and capable of entering informed and voluntary pleas to the criminal offenses charged against him, and an informed and voluntary admission to the allegation of forfeiture;

2. That the Defendant is aware of the nature of the charges against him and the consequences of pleading guilty to the charges;

3. That the Defendant understands the allegation of forfeiture and the consequences of admitting to the allegation;

4. That the Defendant fully understands his constitutional rights, and the extent to which he is waiving those rights by pleading guilty to the criminal offenses charged against him, and admitting to the allegation of forfeiture;

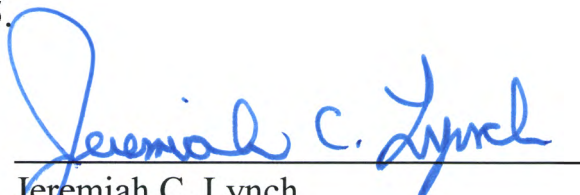
5. That both his pleas of guilty to the criminal offenses charged against him and his admission to the allegation of forfeiture are knowingly and voluntarily entered, and are both supported by independent factual grounds sufficient to prove each of the essential elements of the criminal offenses charged and the legal basis for the forfeiture.

The Court further concludes that the Defendant had adequate time to review the Plea Agreement with counsel, that he fully understands each and every provision of the agreement and that all of the statements in the Plea Agreement are

true. Therefore, I recommend that the Defendant be adjudged guilty of Counts I and XV of the Indictment, and that sentence be imposed. I recommend that Counts II, VI, VIII, X, XI XII, XIII and XIV of the Indictment be dismissed as against Defendant. I further recommend the agreed forfeiture be imposed against Defendant.

**This report is forwarded with the recommendation that the Court defer a decision regarding acceptance until the Court has reviewed the Plea Agreement and the presentence report.**

DATED this 23<sup>rd</sup> of June, 2015.

  
Jeremiah C. Lynch  
United States Magistrate Judge